

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

STEPHEN R. KERN,
Plaintiff,
vs.
CLARK COUNTY SHERIFF, et al.,
Defendants.)
Case No. 2:13-cv-00855-RFB-NJK
ORDER
(Docket No. 46)

Pending before the Court is Plaintiff's motion to extend prison copy work limits, filed on December 29, 2015. Docket No. 46. For the reasons discussed below, the Court **DENIES** Plaintiff's motion to extend prison copy work limits.

I. Background

20 Plaintiff does not have a constitutional right to free photocopying. *Johnson v. Moore*, 948
21 F.2d 517, 521 (9th Cir. 1991) (*citing Sands v. Lewis*, 886 F.2d 1166, 1169 (9th Cir.1989)
22 (“numerous courts have rejected any constitutional right to free and unlimited photocopying”)). The
23 Ninth Circuit has concluded that “an inmate has a right to photocopying . . . *when, and only when*,
24 necessary to guarantee him meaningful access to the courts.” *Hiser v. Franklin*, 94 F.3d 1287, 1294
25 n. 6 (9th Cir. 1996) (emphasis added). In this District, a court may order a prison to provide limited
26 photocopying “when it is necessary for an inmate to provide copies to the court and other parties.”
27 *Allen v. Clark Cnty. Det. Ctr.*, 2011 WL 886343, at *2 (D. Nev. Mar. 11, 2011) (finding plaintiff
28 demonstrated a need to increase the copy work limit when he provided a copy of his inmate account

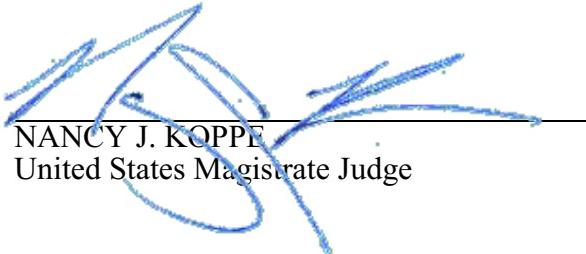
1 statement showing a negative balance of \$199 and the case was pending appeal before the Ninth
2 Circuit).

3 Here, Plaintiff has not provided a copy of his inmate account statement showing that there
4 are insufficient funds for Plaintiff to provide copies to the court and other parties. *See* Docket No.
5 46. At this time, therefore, Plaintiff has not demonstrated the need to have his prison copy work
6 limit increased. The Court advises Plaintiff that he should use his copying privileges sparingly, and
7 utilize carbon paper to duplicate documents when possible.

8 Accordingly,

9 **IT IS HEREBY ORDERED** that Plaintiff's motion to extend prison copy work limits
10 (Docket No. 46) is **DENIED**.

11 DATED: December 30, 2015.

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13 NANCY J. KOPPE
14 United States Magistrate Judge
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